



REISSUE

REISSUE

Docket 75036DAN
Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Dale F. McIntyre, et al

HYBRID CAMERA SYSTEM
WITH ELECTRONIC ALBUM
CONTROL

Reissue Application No. 09/927,036

Filed August 9, 2001

Reissue for U.S. Patent 5,940,121
Issued 17 August 1999

Group Art Unit: 2613

Examiner: Nhon Diep

I hereby certify that this correspondence is being
deposited today with the United States Postal Service
as first class mail in an envelope addressed to
Commissioner for Patents, Alexandria, VA 22313-1450.

Jane D. Muench
October 10, 2006
Date

Honorable Assistant Commissioner for Patents
Box Patent Applications
Washington, D.C. 20231

Sir:

**37 CFR § 1.175 STATEMENT OF INOPERATIVENESS
OF ORIGINAL PATENT (INVENTOR)**

Applicants, Dale F. McIntyre and Dana W. Wolcott declare that:

We have reviewed and understand the contents of the specification,
including the claims, of the attached reissue application.

We believe ourselves to be the original, first, and joint inventors of
the subject matter claimed in HYBRID CAMERA SYSTEM WITH
ELECTRONIC ALBUM CONTROL for which we solicit a patent, described and
claimed in our original Letters Patent No. 5,940,121 ('121 patent), issued August
17, 1999, based on U.S. Patent Application Serial No. 08/803,548, filed February
20, 1997, and for the attached specification for which invention we solicit a
reissue patent. As to the subject matter of the application, we do not know and do
not believe that this subject matter was ever known or used in the United States

prior to our invention or discovery thereof. We have the following citizenship, residence and post office addresses:

| | | | | |
|-------------|-------------------------|---|--|--|
| 2 0 1 | FULL NAME OF INVENTOR | FAMILY NAME McIntyre | FIRST GIVEN NAME Dale | SECOND GIVEN NAME F. |
| | RESIDENCE & CITIZENSHIP | CITY Rochester | STATE OR FOREIGN COUNTRY New York 14472 | COUNTRY OF CITIZENSHIP USA |
| | BUSINESS ADDRESS | BUSINESS ADDRESS Eastman Kodak Company | CITY 343 State Street, Rochester | STATE & ZIP CODE (COUNTRY) New York 14650 USA |
| 2 0 2 | FULL NAME OF INVENTOR | FAMILY NAME Wolcott | FIRST GIVEN NAME Dana | SECOND GIVEN NAME W. |
| | RESIDENCE & CITIZENSHIP | CITY Rochester | STATE OR FOREIGN COUNTRY New York 14472 | COUNTRY OF CITIZENSHIP USA |
| | BUSINESS ADDRESS | BUSINESS ADDRESS Eastman Kodak Company | CITY 343 State Street | STATE & ZIP CODE (COUNTRY) New York 14650 USA |

We believe that our issued '121 patent is partly inoperative by reason of our claiming more or less than we had a right to claim in the patent. The claims of the '121 patent are directed to an album creation and organization system for cameras in which images are captured on photographic film and on an electronic imager. It is believed that the album creation and organization system of the invention is applicable to other types of cameras such as digital cameras. Support for digital cameras can be found in col. 4, lines 18-22 of the '121 patent specification, which states that the "teachings of the present invention can extend to SLRs, as well as other known cameras, including digital cameras, which can also be adapted in a similar fashion".

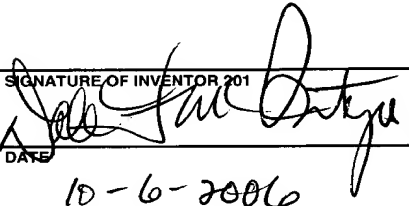
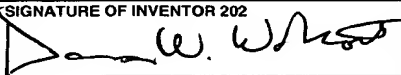
The present reissue application overcomes the inoperativeness of the '121 patent by adding additional claims based on the original allowed claims, for example, to cover digital type cameras.

We acknowledge our duty to disclose to the office all information of which we know to be material to the patentability of this application as defined in 37 CFR 1.56.

The errors arose without any deceptive intention on our part.

We hereby appoint the attorney(s) and/or agent(s) associated with Eastman Kodak Company Customer No. 01333 to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith. Please address all written communications to Mark G. Bocchetti, Eastman Kodak Company, Patent Legal Staff, Rochester, New York 14650-2201 and direct all telephone calls to David A. Novais at 585-588-2727.

The undersigned declare further that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | |
|--|---|
| SIGNATURE OF INVENTOR 201  | SIGNATURE OF INVENTOR 202  |
| DATE 10-6-2006 | DATE 10.6.2006 |